Amendments to the Claims

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims

Claim 1 (Currently amended): An imaging apparatus comprising:

image pickup means;

storing means for storing moving image data of a moving image photographed by said ~~output from the~~ image pickup means on a storage medium according to a photographing start instruction;

detecting means for detecting whether ~~that~~ free space of a storage capacity of the storage medium is not enough ~~storing means becomes not more than a predetermined amount~~;

communicating means for transmitting the moving image data to an external device; and

controlling means for controlling ~~the~~ said image pickup means and ~~the~~ said communicating means according to ~~output of the~~ said detecting means detecting that the free space of the storage capacity of the storage medium is not enough ~~provided~~ during photographing ~~a series of~~ the moving image ~~data~~ so as to start to transmit the stored moving image data of the moving image being photographed after the photographing start instruction ~~stored in the storing means~~ to the external device, while continuing photographing the moving image ~~data~~.

Claim 2 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said controlling means further controls ~~the~~ said communicating means so that ~~the~~ said

communicating means outputs a control signal for saving the ~~series of~~ moving image data transferred to the external device as one file in case of transmission operation of the series of moving image data.

Claim 3 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said controlling means controls ~~the~~ said storing means so that ~~the~~ said storing means continues to store the moving image data obtained by ~~the~~ said image pickup means even after starting the transmission of the moving image data.

Claim 4 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said controlling means displays information for directing connection between the external device and ~~the~~ said communicating means on a display device according to ~~the output of the~~ said detecting means detecting that the free space of the storage capacity of the storage medium is not enough, in the case where the external device and ~~the~~ said communicating means are not connected to each other through a transmission line.

Claim 5 (Currently amended): An apparatus according to claim 4, wherein ~~the~~ said controlling means controls ~~the~~ said image pickup means and ~~the~~ said communicating means so that photographing is stopped without transmitting the moving image data to the external device, in the case where, even after the ~~output of the~~ said detecting means detects that the free space of the storage capacity of the storage medium is not enough, the external device and ~~the~~ said communicating means are not connected and the free space of the ~~storing means~~ storage medium has run out.

Claim 6 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said controlling means displays information for showing that the transmission of the moving image data is started on the display device according to ~~the output of the~~ said detecting means detecting that the free space of the storage capacity of the storage medium is not enough.

Claim 7 (Currently amended): An apparatus according to claim 1, further comprising:

directing means for directing stop of photographing; and

writing means for reading out the moving image data stored ~~in~~ on the ~~storing means~~ storage medium and writing the read-out moving image data in a storage device,

wherein ~~the~~ said controlling means controls ~~the~~ said writing means so that ~~the~~ said writing means saves the ~~series of~~ moving image data stored ~~in~~ on the ~~storing means~~ storage medium during a period from ~~start of~~ the photographing start instruction of the ~~series of~~ moving image ~~data~~ to the stop of photographing as one file in the storage device, in the case where a direction of the stop of photographing is given from ~~the~~ said directing means without receiving a detecting result that the free space of the storage capacity of the storage medium is not enough from ~~the output of the stop of~~ said detecting means after the ~~start of~~ photographing start instruction.

Claim 8 (Currently amended): An apparatus according to claim 1, further comprising directing means for directing stop of photographing,

wherein ~~the~~ said controlling means controls ~~the~~ said storing means so that ~~the~~ said storing means saves the ~~series of~~ moving image data stored ~~in~~ on the ~~storing means~~ storage

medium during a period from the photographing start instruction of the ~~series of~~ moving image ~~data~~ to the stop of photographing as one file, in the case where a direction of the stop of photographing is given from ~~the~~ said directing means without receiving ~~the output of the~~ a detection result that the free space of the storage capacity of the storage medium is not enough from said detecting means after the photographing start instruction.

Claim 9 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said storing means includes ~~a first memory, a second memory, and~~ a memory interface which controls write and readout of the moving image data to the storage medium and the storage device different from the storage medium ~~first memory and the second memory,~~ and ~~the~~ said controlling means controls ~~the~~ said storing means and ~~the~~ said communicating means so that when ~~the~~ said detecting means detects that the free space ~~of the first memory has become~~ is not enough ~~more than the predetermined amount~~ during storing ~~writing~~ the photographed moving image data into the ~~first memory~~ storage medium, the moving image data is written in the ~~second memory~~ storage device while switching from the storage medium ~~first memory is changed~~ to the storage device ~~second memory~~ and transmission of the moving image data stored in the storage medium ~~first memory~~ to the external device is started.

Claim 10 (Currently amended): An apparatus according to claim 1, wherein ~~the~~ said communicating means transmits the moving image data at a rate faster than a data rate of the moving image data output from ~~the~~ said image pickup means, ~~the~~ said controlling means controls ~~the~~ said communicating means so that after starting the transmission to the external device, the transmission is stopped in response to completion of the transmission of the moving

image data ~~having~~ of an amount corresponding to ~~concerning detection~~ timing of detection of that the free space of the storage capacity of the storage medium is not enough ~~performed~~ by ~~the~~ said detecting means.

Claim 11 (Currently amended): An apparatus according to claim 10, wherein ~~the~~ said controlling means further controls ~~the~~ said communicating means so that after stopping the transmission of the moving image data, transmission of the moving image data stored in the ~~storing means~~ storage medium to the external device is started in response to reception of ~~the output of the~~ a detection result that the free space of the storage capacity of the storage medium is not enough from said detecting means again.

Claim 12 (Currently amended): An imaging apparatus comprising:

image pickup means;

~~an~~ a memory interface for writing moving image data of a moving image photographed with ~~output from the~~ said image pickup means in a memory according to a photographing start instruction and reading out the moving image data from the memory;

writing means for writing the moving image data in a storage device;

detecting means for detecting ~~that~~ whether free space of a storage capacity of the memory is ~~storing means becomes~~ not enough ~~more than a predetermined amount~~;

communicating means for transmitting the moving image data stored in at least one of the memory and the storage device to an external device; and

controlling means for according to ~~output of the~~ said detecting means detecting that the free space of the storage capacity of the memory is not enough ~~provided~~ during photographing

~~a series of~~ the moving image ~~data~~, starting to transmit the moving image data of the moving image stored in the memory after the photographing start instruction to the external device while photographing the moving image ~~data~~ and switching writing of the moving image data output from ~~the~~ said image pickup means from ~~in the storage device while~~ the memory ~~is changed~~ to the storage device.

Claim 13 (Currently amended): An image data processing system comprising:

image pickup means;

storing means for storing moving image data of a moving image photographed with ~~output from the~~ said image pickup means on a storage medium in accordance with a photographing start instruction;

detecting means for detecting whether ~~that~~ free space of a storage capacity of the storage medium is ~~storing means becomes~~ not enough ~~more than a predetermined amount~~;

communicating means for transmitting the moving image data through a transmission line;

controlling means for controlling ~~the~~ said image pickup means and ~~the~~ said communicating means to start ~~so that according to output of the detecting means provided during photographing a series of the moving image data,~~ transmission of the moving image data of the moving image stored ~~in~~ on the ~~storing means~~ storage medium after the photographing start instruction to ~~the~~ an external device according to said detecting means detecting that free space of a storage capacity of the storage medium is not enough during photographing of the moving image data ~~is started~~, while ~~the~~ said controlling means photographs the moving image ~~data~~;

receiving means for receiving the moving image data transmitted from ~~the~~ said communicating means through the transmission line; and

saving means for saving the moving image data received by ~~the~~ said receiving means.

Claim 14 (Currently amended): A system according to claim 13, wherein ~~the~~ said controlling means further controls ~~the~~ said communicating means so that ~~the~~ said communicating means outputs a control signal for saving the ~~series of~~ moving image data transferred to the external device, as one file in case of transmission operation of ~~the series of~~ moving image data, and wherein ~~the~~ said saving ~~retaining~~ means saves as one file the ~~series of~~ moving image data which is received according to the control signal by ~~the~~ said receiving means.

Claim 15 (Currently amended): A system according to claim 13, wherein ~~the~~ said controlling means controls ~~the~~ said storing means so that ~~the~~ said storing means continues to store the moving image data obtained by ~~the~~ said image pickup means even after starting the transmission of the moving image data.

Claim 16 (Currently amended): A system according to claim 13, wherein ~~the~~ said controlling means displays information for directing connection between the external device and ~~the~~ said communicating means on a display device according to the output of ~~the~~ said detecting means, in the case where ~~the~~ said communicating means and ~~the~~ said receiving means are not connected to each other through the transmission line.

Claim 17 (Currently amended): A system according to claim 16, wherein ~~the~~ said controlling means controls ~~the~~ said image pickup means and ~~the~~ said communicating means so that photographing is stopped without transmitting the moving image data to ~~the~~ said receiving means, in the case where, even after ~~the output of the~~ said detecting means detects that free space of the storage capacity of the storage medium is not enough, ~~the~~ said communicating means and ~~the~~ said receiving means are not connected and the free space of ~~the~~ said storing means has run out.

Claim 18 (Currently amended): A system according to claim 13, wherein ~~the~~ said controlling means displays information for showing that the transmission of the moving image data is started on the display device, according to ~~the output of the~~ said detecting means detecting that free space of the storage capacity of the storage medium is not enough.

Claim 19 (Currently amended): An imaging method comprising:

an image pickup step;

a storing step of storing moving image data of a moving image photographed ~~output~~ in ~~the~~ said image pickup step on a storage medium according to the photographing start instruction;

a detecting step of detecting ~~that~~ whether free space of a storage capacity of the storage medium is ~~storing step becomes~~ not enough ~~more than a predetermined amount~~;

a communicating step of transmitting the moving image data to an external device; and

a controlling step of controlling ~~the~~ said image pickup step and ~~the~~ said communicating step according to ~~output of the~~ said detecting step detecting that free space of the storage

capacity of the storage medium is not enough ~~provided~~ during photographing ~~a series~~ of the moving image ~~data~~ so as to start to transmit the moving image data of the moving image stored in ~~the~~ said storing step after the photographing start instruction to the external device, while continuing photographing the moving image ~~data~~.

Claim 20 (Currently amended): An imaging method comprising:

an image pickup step;

~~an~~ a memory writing and reading step ~~interface~~ of writing moving image data of a moving image photographed ~~output~~ in ~~the~~ said image pickup step in a memory according to a photographing start instruction and for reading out the moving image data from the memory;

a writing step of writing the moving image data in a storage device;

an detecting step of detecting whether ~~that~~ free space of a storage capacity of the memory is ~~storing step becomes~~ not enough ~~more than a predetermined amount~~;

a communicating step of transmitting the moving image data stored in at least one of the memory and the storage device to an external device; and

a controlling step of according to ~~output of the~~ said detecting step detecting that free space of the storage capacity of the memory is not enough ~~provided~~ during photographing ~~a series~~ of the moving image data, starting to transmit the moving image data of the moving image stored in the memory after the photographing start instruction to the external device while photographing the moving image ~~data~~ and switching writing of the moving image data output in ~~from the~~ said image pickup step ~~in the storage device while~~ from the memory ~~is changed~~ to the storage device.

Claim 21 (Currently amended): An image data processing method comprising:

an image pickup step;

a storing step of storing moving image data of a moving image photographed ~~output~~ in ~~the~~ said image pickup step on a storage medium according to a photographing start instruction;

a detecting step of detecting whether ~~that~~ free space of a storage capacity of the storage medium is ~~storing step becomes~~ not enough ~~more than a predetermined amount~~;

a communicating step of transmitting the moving image data through a transmission line;

a controlling step of controlling ~~the~~ said image pickup step and ~~the~~ said communicating step to start ~~so that according to output of the detecting step provided during photographing a series of the moving image data,~~ transmission of the moving image data of the moving image stored in ~~the~~ said storing step after the photographing start instruction to ~~the~~ an external device according to said detecting step that the free space of the storage capacity of the storage medium is not enough during photographing of the moving image data ~~is started~~, while ~~the~~ said controlling step photographs the moving image ~~data~~;

a receiving step of receiving the moving image data transmitted in ~~the~~ said communicating step through the transmission line; and

a saving step of saving the moving image data received in ~~the~~ said receiving step.

Claim 22 (New): An imaging apparatus comprising:

image pickup means;

recording means for recording moving image data of a moving image photographed by said image pickup means on a recording medium according to a recording start instruction and

for reading the moving image data from the recording medium, said recording means stopping recording the moving image data according to a recording stop instruction;

detecting means for detecting whether free space of a storage capacity of the recording medium is not enough;

communicating means for transmitting the moving image data to an external device; and

controlling means for controlling said recording means and said communicating means according to said detecting means detecting that the free space of the storage capacity of the recording medium is not enough during recording the moving image data so as to start to read out, from the recording medium, the recorded moving image data being recorded after the recording start instruction and to transmit the read moving image data to the external device, while continuing recording the moving image data of the moving image on the recording medium,

wherein said controlling means stops transmitting the moving image data to the external device after the moving image data recorded on the recording medium until a recording stop instruction is provided, and transmits a control signal to the external device to cause the external device to store the moving image data of the moving image photographed in a time period from the recording start instruction to the recording stop instruction.